

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
CIVIL MINUTE ORDER**

CASE NO. C 08-05780 JW (JCS)

CASE NAME: FACEBOOK, INC. v. POWER VENTURES, INC.

MAGISTRATE JUDGE JOSEPH C. SPERO

COURTROOM DEPUTY: Karen Hom

DATE: Feb. 24, 2012

TIME: 30 M

COURT REPORTER: Debra Pas

COUNSEL FOR PLAINTIFF:

Morvarid Metanat & Monte Cooper

COUNSEL FOR DEFENDANT:

Lawrence Timothy Fisher (T)*

PROCEEDINGS:

RULING:

**1. Telephonic Discovery Hearing [docket nos. 265, 267
& 269]**

Held

ORDERED AFTER HEARING:

Motion to Preclude Brazilian Witnesses, docket no. 267: Stipulated order entered that Defendants agree that they shall not call as witnesses, or provide a declaration from Eric Santos, Felipe Herrera, and Bruno Carvalho.

Motion Compelling Production of Emails, docket no. 269: Defendant shall produce, forthwith, the responsive emails that were not copied to Steve Vachani. Defendant shall sit for a renewed 30(b)(6) deposition regarding the newly produced emails that are relevant to the issues that are still unresolved by the Court's Summary Judgment Order. Defendant shall pay reasonable costs, including attorney fees, for the renewed 30(b)(6) deposition.

Motion for Supervised 30(b)(6) Deposition, docket no. 265: Defendant shall sit for a renewed 30(b)(6) deposition on topics remaining in this case. There shall be no repeating questions to which the witness provided a clear answer; witness shall answer all the questions as put to him and there shall be no instruction not to answer other than based on attorney client privilege and attorney work product. The witness may not testify by reading from his declaration. The witness may not argue with the attorney. The witness shall take all reasonable steps, including contacting former employees, to be prepared on all topics listed in the Notice of Deposition that was previously served so long as they are still at issue. Defendant shall pay reasonable costs, including attorney fees, for the renewed 30(b)(6) deposition. Witness may be deposed for 7 hours. Deposition shall be held on 2/29/12 at the Orrick Office located in Menlo Park at 10:00 a.m.

Court makes no ruling on the spoliation of documents. Plaintiff may file formal Motion.

ORDER TO BE PREPARED BY: ☐ Plaintiff ☐ Defendant ☒ Court

cc: Chambers; Karen

*** (T) = Telephonic Appearance**